

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3076



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2016 JUN 14 AM 9:19

June 14, 2016

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *culthor*  
Staff Director

FROM: Patricia C. Orrock *PO/nme*  
Chief Compliance Officer

Debbie Chacona *DC/nme*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR*  
Kristin D. Roser/Ben Holly *B.H.*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation -2016  
April Quarterly Report for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2016 April Quarterly Report in accordance with 52 U.S.C. § 30104(a). The April Quarterly Report was due on April 15, 2016.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a

**2. Send the appropriate letters.**

Federal Election Commission  
Reason to Believe Circulation Report  
2016 APRIL QUARTERLY Not Election Sensitive 04/15/2016 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3056	C00172833	AMERICAN ASSOCIATION OF CROP INSURERS POLITICAL ACTION COMMITTEE (AACI PAC)		MICHAEL R. MCLEOD	\$284,987	0	4/21/2016	6	\$44,519	\$320
3057	C00572537	AMERICANS SOCIALLY UNITED		CARY L. PETERSON	\$233,949	0		Not Filed	\$233,949 (est)	\$7,150
3058	C00579664	CITIZENS FOR XAVIER SALINAS	XAVIER SALINAS	RAY PEREZ	\$127,950	0		Not Filed	\$63,975 (est)	\$2,970
3059	C00554253	CLAITOR FOR CONGRESS	DANIEL A. CLAITOR	CHELSEA BONNECAZE	\$120,518	3		Not Filed	\$120,518 (est)	\$8,662
3060	C00580563	COLLIN COUNTY REPUBLICAN PARTY		JONATHAN COCKS	\$185,880	0	4/26/2016	11	\$178,680	\$2,630
3061	C00480228	CONTINUING AMERICA'S STRENGTH AND SECURITY PAC		RALPH J. STEPHENS	\$671,292	0	5/5/2016	20	\$161,275	\$3,980
3062	C00555862	FOUNDATION FOR A GREATER AMERICA INC		JAMES P. HODGINS	\$725,746	1		Not Filed	\$725,746 (est)	\$14,437
3063	C00524363	GREAT LAKES SUPER POLITICAL ACTION COMMITTEE		DWIGHT WASHINGTON	\$157,500	0		Not Filed	\$78,750 (est)	\$3,850
3064	C00589846	GREG GARRETT FOR CONGRESS	GREGORY KEITH GARRETT	GARY LINKER	\$168,631	0	4/25/2016	10	\$30,808	\$400
3065	C00578518	INGRID TURNER FOR CONGRESS	INGRID TURNER	LATRISIE MARIE WORKMAN	\$606,057	0	6/7/2016	Not Filed	\$121,353	\$4,950
3066	C00402982	IRL PAC		ED TORGAS	\$113,230	0	5/4/2016	19	\$66,334	\$2,087

3068	C00580373	MAKE AMERICA GREAT AGAIN		LESLIE CALDWELL	\$3,327,653	0		Not Filed	\$3,327,653 (est)	\$13,200
3069	C00493395	MARK GREENBERG FOR CONGRESS	MARK GREENBERG	J. KENNETH NOWELL	\$199,671	0	4/22/2016	7	\$26,565	\$340
3070	C00139964	NATIONAL ASSOCIATION OF WHEAT GROWERS POLITICAL ACTION COMMITTEE (WHEATPAC)		JIM PALMER	\$148,972	0	5/17/2016	Not Filed	\$100,456	\$4,950
3071	C00405555	NATIONAL COUNCIL OF TEXTILE ORGANIZATIONS INC POLITICAL ACTION COMMITTEE		ROBIN L. HAYNES	\$327,413	0	5/1/2016	16	\$90,979	\$2,200
3072	C00592303	OREGON RIGHT TO LIFE VICTORY PAC		GAYLE ATTEBERRY	\$416,707	0	5/5/2016	20	\$92,899	\$2,640

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3073	C00238204	PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC		PARVEZ SHAH	\$163,122	0	5/15/2016	30	\$34,931	\$800
3074	C00591628	SIMON WINSTON FOR CONGRESS	SIMON WOOD WINSTON	MAUREEN HAFFERNIK	\$798,665	0	5/11/2016	26	\$413,168	\$7,200
3075	C00560649	TOM CARTER FOR CONGRESS	THOMAS G. CARTER	THOMAS CARTER	\$137,286	0		Not Filed	\$137,286 (est)	\$4,950
3076	C00573428	WHITWELL FOR CONGRESS	ROBERT QUENTIN WHITWELL JR.	OFFICE OF TREASURER	\$437,531	1		Not Filed	\$72,922 (est)	\$3,712

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AF 3076  
Reason To Believe Recommendation - )  
2016 April Quarterly Report: Whitwell )  
for Congress and Office of Treasurer )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 15, 2016, the Commission decided by a vote of 6-0 to take the following actions in AF 3076:

1. Find reason to believe that Whitwell for Congress and Office of Treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be in the amount of \$3,712.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

June 17, 2016  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 16, 2016

Office of Treasurer  
Whitwell for Congress  
Post Office Box 2547  
Oxford, MS 38655

C00573428  
AF#: 3076

Dear Office of Treasurer:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period January 1, 2016 through March 31, 2016, shall be filed no later than April 15, 2016. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that you did not file this report within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On June 15, 2016, the FEC found that there is reason to believe ("RTB") that Whitwell for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before April 15, 2016. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$3,712. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$3,712 is due within forty (40) days of the finding, or by July 25, 2016, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$72,922  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 1

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street,

NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or July 25, 2016. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Whitwell for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).



**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS.**

**4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

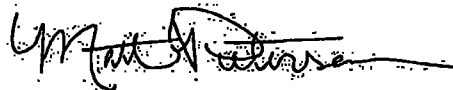
**5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Matthew S. Petersen  
Chair

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$3,712 for the 2016 April Quarterly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: Whitwell for Congress

FEC ID#: C00573428

AF#: 3076

PAYMENT DUE DATE: July 25, 2016

PAYMENT AMOUNT DUE: \$3,712



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2016 NOV -7 AM 9:42

November 7, 2016

**SENSITIVE**

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *EW/HP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR*  
Kristin D. Roser/Ben Holly *BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Withdrawal and Resubmission of Final Determination Recommendation -  
2016 April Quarterly Report for the Administrative Fine Program

We are withdrawing the document circulated to the Commission on November 1, 2016 in order to correct errors in the final money penalty and amount paid columns of the circulation chart for AF 3058 and AF 3068. The correct amounts were previously referenced in the cover memo.

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2016 April Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, five (5) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Citizens for Xavier Salinas (AF 3058) filed the 2016 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$35,363 (previously estimated to be \$63,975), thus the fine would be lowered from \$2,970 to \$1,090. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund for the difference (\$1,880).

Great Lakes Super Political Action Committee (AF 3063) filed the 2016 April Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$78,750), which would result in no civil money penalty (fine previously assessed to be \$3,850).

Make America Great Again (AF 3068) filed the 2016 April Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$3,526 (previously estimated to be \$3,327,653), thus the fine would be lowered from \$13,200 to \$275. The committee paid the civil money penalty assessed at RTB; we will therefore issue a refund for the difference (\$12,925).

Tom Carter for Congress (AF 3075) disclosed no activity after the RTB finding (previously estimated to be \$137,286), which would result in no civil money penalty (fine previously assessed to be \$4,950).

Whitwell for Congress (AF 3076) disclosed no activity after the RTB finding (previously estimated to be \$72,922), which would result in no civil money penalty (fine previously assessed to be \$3,712).

In addition, Collin County Republican Party (AF 3060) made only a partial payment of the civil money penalty assessed at the RTB stage. As such, the civil money penalty is listed as not paid.

- Pakistani American Public Affairs Committee PAK-PAC (AF 3073) filed an Amended Statement of Organization after the RTB finding designating Jalil Khan as Treasurer (see first list).
- Collin County Republican Party (AF 3060) filed an Amended Statement of Organization after the RTB finding designating Mark Reid as Treasurer (see second list).

# THEORY

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.**
- (2) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.**
- (3) Send the appropriate letters.**

Federal Election Commission  
FD Circulation Report Fine Paid  
2016 APRIL QUARTERLY Not Election Sensitive 04/15/2016 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3056	AMERICAN ASSOCIATION OF CROP INSURERS POLITICAL ACTION COMMITTEE (AACI PAC)		C00172833	MICHAEL R. MCLEOD	4/21/2016	6	\$44,519	0	6/15/2016	\$320	\$320	6/27/2016	\$320
3058	CITIZENS FOR XAVIER SALINAS	XAVIER SALINAS	C00578684	RAY PEREZ	7/15/2016	Not Filed	\$35,383	0	6/15/2016	\$2,970	\$1,080	6/28/2016	\$2,970*
3061	CONTINUING AMERICA'S STRENGTH AND SECURITY PAC		C00480228	RALPH J. STEPHENS	5/5/2016	20	\$161,275	0	6/15/2016	\$3,980	\$3,980	7/26/2016	\$3,980
3064	GREG GARRETT FOR CONGRESS	GREGORY KEITH GARRETT	C00589846	GARY LINKER	4/25/2016	10	\$30,808	0	6/15/2016	\$400	\$400	7/6/2016	\$400
3066	IRL PAC		C00402982	ED TORGAS	5/4/2016	19	\$66,334	0	6/15/2016	\$2,087	\$2,087	7/26/2016	\$2,087
3068	MAKE AMERICA GREAT AGAIN		C00580373	LESLIE CALDWELL	7/6/2016	Not Filed	\$3,528	0	6/15/2016	\$13,200	\$275	7/22/2016	\$13,200*
3069	MARK GREENBERG FOR CONGRESS	MARK GREENBERG	C00483395	J. KENNETH NOWELL	4/22/2016	7	\$28,585	0	6/15/2016	\$340	\$340	7/19/2016	\$340
3072	OREGON RIGHT TO LIFE VICTORY PAC		C00592303	GAYLE ATTEBERRY	5/5/2016	20	\$94,126	0	6/15/2016	\$2,640	\$2,640	7/6/2016	\$2,640
3073	PAKISTANI AMERICAN PUBLIC AFFAIRS COMMITTEE PAK-PAC		C00238204	JALIL A. KHAN	5/15/2016	30	\$35,092	0	6/15/2016	\$800	\$800	7/6/2016	\$800

\* This committee disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty and will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding. This committee paid the civil money penalty assessed at RTB; therefore, we will issue a refund for the difference.

CONFIDENTIAL

11/7/2016 9:05 AM

Federal Election Commission  
FD Circulation Report Fine Not Paid  
2016 APRIL QUARTERLY Not Election Sensitive 04/15/2016 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3057	AMERICANS SOCIALLY UNITED		C00572537	CARY L. PETERSON		Not Filed	\$233,949 (est)	0	6/15/2016	\$7,150	145	\$7,150
3059	CLAITOR FOR CONGRESS	DANIEL A. CLAITOR	C00554253	CHELSEA BONNECAZE		Not Filed	\$120,518 (est)	3	6/15/2016	\$8,662	145	\$8,662
3060	COLLIN COUNTY REPUBLICAN PARTY		C00580583	MARK REID	4/26/2016	11	\$178,680	0	6/15/2016	\$2,630	145	\$2,630
3063	GREAT LAKES SUPER POLITICAL ACTION COMMITTEE		C00524363	DWIGHT WASHINGTON	7/11/2016	Not Filed	\$0	0	6/15/2016	\$3,850	145	NONE
3065	INGRID TURNER FOR CONGRESS	INGRID TURNER	C00578518	LATRICE MARIE WORKMAN	6/7/2016	Not Filed	\$121,408	0	6/15/2016	\$4,950	145	\$4,950
3075	TOM CARTER FOR CONGRESS	THOMAS G. CARTER	C00560649	THOMAS CARTER		Not Filed	\$0	0	6/15/2016	\$4,950	145	NONE
3076	WHITWELL FOR CONGRESS	ROBERT QUENTIN WHITWELL JR.	C00573428	OFFICE OF TREASURER		Not Filed	\$0	1	6/15/2016	\$3,712	145	NONE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) AFs 3063, 3075 and 3076  
Administrative Fine Program – Final )  
Determination Recommendation for the )  
2016 April Quarterly Report )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on November 09, 2016, the Commission decided by a vote of 6-0 to take the following actions in AFs 3063, 3075, and 3076:

1. Make a final determination that Great Lakes Super Political Action Committee and Dwight Washington in his official capacity as treasurer, listed in the attached report with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.
2. Make a final determination that Tom Carter for Congress and Thomas Carter in his official capacity as treasurer, listed in the attached report with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.
3. Make a final determination that Whitwell for Congress and Office of the Treasurer, listed in the attached report with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.
4. Send the appropriate letters.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

November 10, 2016  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 9, 2016

Office of Treasurer  
Whitwell for Congress  
Post Office Box 2547  
Oxford, MS 38655

C00573428  
AF#: 3076

Dear Office of Treasurer:

On June 15, 2016, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Whitwell for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the 2016 April Quarterly Report. By letter dated June 17, 2016, the Commission notified you of the RTB finding and the preliminary civil money penalty calculated at the RTB stage to be \$3,712 in accordance with the schedule of penalties at 11 CFR § 111.43.

Since that time, the amount of the civil money penalty has been changed to reflect the actual level of activity of the 2016 April Quarterly Report. The FEC made a final determination on November 9, 2016 that Whitwell for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a), assessed no civil money penalty in accordance with 11 CFR § 111.43, and voted to close the file.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding this matter, please contact Ben Holly on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in black ink, appearing to read "Matthew S. Petersen", is written over a horizontal line.

Matthew S. Petersen  
Chair

